



Dkt. 655/66458-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Edward KOSCIUSZKO et al.

Serial No. : 09/900,791 Group Art Unit: 2171

Date Filed : July 6, 2001 Examiner: F. COBY

For : METHOD AND APPARATUS FOR VIEWING THE EFFECT OF
CHANGES TO AN INDEX FOR A DATABASE TABLE ON AN
OPTIMIZATION PLAN FOR A DATABASE QUERY

1185 Avenue of the Americas
New York, NY 10036

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

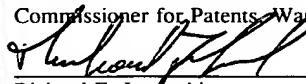
TERMINAL DISCLAIMER

Sir:

Petitioner, Computer Associates Think, Inc., One Computer Associates Plaza, Islandia, New York 11749, represents that it is the assignee of the entire interest in the above-identified application by virtue of an assignment filed in the United States Patent and Trademark Office on the 12th day of February 2002 and recorded at Reel 012622, Frame 0004.

Petitioner, Computer Associates Think, Inc., hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of Patent No. 6,560,593 (the '593 patent), and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

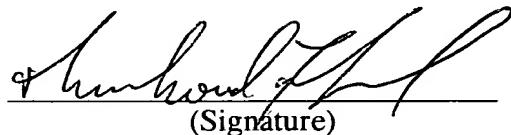

Richard F. Jaworski
Reg. No. 33,515

July 28, 2004
Date

the legal title to said patent shall be the same as the legal title to the '593 patent, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of the '593 patent in the event that the '593 patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a) and (b), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term pursuant to 35 U.S.C. §§154-156.

IN WITNESS WHEREOF, I, a duly authorized representative of COMPUTER ASSOCIATES THINK, INC., execute this terminal disclaimer this 28th day of July 2004.



Richard F. Jaworski
(Signature)

Richard F. Jaworski
(Name)

Attorney of Record
(Title)